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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/560,637	12/13/2005	Thomas Weiser	AT 030033	6965
24737 7590 07/06/2009 PHILIPS INTELLECTUAL PROPERTY & STANDARDS P.O. BOX 3001 BRIARCLIFF MANOR, NY 10510				
EXAMINER MONIKANG, GEORGE C				
ART UNIT		PAPER NUMBER		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/560,637

Applicant(s)

WEISER, THOMAS

Examiner

GEORGE C. MONIKANG

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 10/560,637.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SI/88)
- Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Cohen et al, US Patent Pub. 20030031333 A1.

Re Claim 1, Cohen et al discloses a circuit for a locating device for locating a room area from which an optical locating signal generated and emitted by means of a locating-signal generating means originates (fig. 11: 27 & 35; paras 0012 & 0056: communication is optically transmitted between the sensor 27 and the processor 35, where the information communicated is used to optimize the multi-channel sound output at the chosen user sweet spot), which circuit has receiving means that are arranged at a distance from the room area to be located and that are designed to receive (fig. 11: 27 & 35; paras 0012 & 0056: communication is optically transmitted between the sensor 27 and the processor 35, where the information communicated is used to optimize the multi-channel sound output at the chosen user sweet spot), optically, the optical locating signal that can be fed to them from the room area, and which circuit has determining means that, by using the optical locating signal that is received, are designed to

determine and emit a first item of room-area locating information that represents the distance between the receiving means and the room area (fig. 11: 27 & 35; paras 0012 & 0056: communication is optically transmitted between the sensor 27 and the processor 35, where the information communicated is used to optimize the multi-channel sound output at the chosen user sweet spot).

Re Claim 2, Cohen et al discloses a circuit as claimed in claim 1, wherein the determining means are in addition designed by using the optical locating signal that is received, to determine and emit a second item of room-area locating information that represents a direction between the receiving means and the room area (fig. 11: 27 & 35; paras 0012 & 0056: communication is optically transmitted between the sensor 27 and the processor 35, where the information communicated includes multiple speaker locations, and are used to optimize the multi-channel sound output at the chosen user sweet spot).

Re Claim 3, Cohen et al discloses a circuit as claimed in claim 1, wherein the determining means are designed to process an optical control signal that can be generated by means of a remote-control device and that forms the optical locating signal, and to locate the room area by using the optical control signal (fig. 11: 27 & 35; paras 0012 & 0056: communication is optically transmitted between the sensor 27 and the processor 35, where the information communicated is used to optimize the multichannel sound output at the chosen user sweet spot).

Re Claim 4, Cohen et al discloses a circuit as claimed in claim 1, wherein the receiving means have at least two light-sensitive sensors that are each designed and

arranged to receive the locating signal and to emit a sensor signal (fig. 9a; fig. 11: 27 & 35; paras 0012 & 0056: communication is optically transmitted between the sensor 27 and the processor 35, where the information communicated is used to optimize the multi-channel sound output at the chosen user sweet spot and the sensor 27 is able to transmit and receive information with the processor 35), the sensor signal from each sensor representing an intensity, that is present at the sensor concerned, of the locating signal, and wherein the determining means are designed to locate the room area from which the locating signal originates by using the sensor signals that can be emitted by the sensors (fig. 9a; fig. 11: 27 & 35; paras 0012 & 0056: communication is optically transmitted between the sensor 27 and the processor 35, where the information communicated is used to optimize the multi-channel sound output at the chosen user sweet spot and the sensor 27 is able to transmit and receive information with the processor 35).

Claim 5 has been analyzed and rejected according to Claim 4.

Re Claim 6, Cohen et al discloses a circuit as claimed in claim 5, wherein the at least two light-sensitive sensors are so designed and arranged that the reception sectors respectively associated with them at least partly overlap with one another (fig. 2: paras 0012 & 0056: signals transmitted from the processor to the sensor overlap each other at the sweet spot).

Claim 7 has been analyzed and rejected according to Claim 1.

Re Claim 8, Cohen et al discloses an audio-signal emitting system, which audio-signal emitting system has a circuit as claimed in claim 1, and which audio-signal

emitting system has audio channel-signal generating means that, by taking account of at least one item of room-area locating information that can be generated by means of the circuit, are designed to generate at least two audio channel-signals suitable for creating a multi-channel sound effect (fig. 11; paras 0012 & 0056: multi-channel effect is created by the speakers based on the position of the sensor 27), each audio channel-signal being intended for emission via sound-generating means associated with it, thus enabling a multi-channel sound effect to be created in a room area, to which room area the audio channel-signals are adjusted by taking account of the at least one item of room-area locating information (fig. 11; paras 0012 & 0056: multi-channel effect is created by the speakers based on the position of the sensor 27).

Re Claim 9, Cohen et al discloses an audio-signal emitting system as claimed in claim 8, wherein there is provided a first memory stage that is intended to store a first item of positional information that represents a relative positioning between the circuit and the respective sound generation means (fig. 12: 39; 47; para 0062: the multiple positional information are stored in the CPU for later use by the processor to communicate with other external devices), and wherein the audio channel-signal generating means are in addition designed to adjust the audio channel-signals to the room area that has been located by using the first item of positional information (fig. 12: 39; 47; para 0062: positional information is stored in the CPU for later use by the processor to communicate with other external devices which ultimately affects the output of the multi-channel speaker system).

Claim 10 has been analyzed and rejected according to Claim 8.

Claim 11 has been analyzed and rejected according to Claim 9.

Claim 12 has been analyzed and rejected according to Claim 1.

Claim 13 has been analyzed and rejected according to Claim 2.

Claim 14 has been analyzed and rejected according to Claim 3.

Claims 15 & 16 have been analyzed and rejected according to Claim 4.

Claim 17 has been analyzed and rejected according to Claim 6.

Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to GEORGE C. MONIKANG whose telephone number is (571)270-1190. The examiner can normally be reached on M-F, alt Fri. Off 7:30am-5:00pm (est).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chin Vivian can be reached on 571-272-7848. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/George C Monikang/
Examiner, Art Unit 2614

6/29/2009

/Vivian Chin/
Supervisory Patent Examiner, Art Unit 2614